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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ecker, Griffey, Crooke, Sampath, Swayze, Mohan, Hofstadler, and McNeil

Serial No.: **09/076,404**   Group Art Unit: **1631**

Filed: **May 12, 1998**   Examiner: **A. Marschel**

For: **MODULATION OF MOLECULAR INTERACTION SITES ON RNA AND OTHER BIOMOLECULES**

Assistant Commissioner
for Patents,
Washington, D.C. 20231

Dear Sir:

Declaration of Dr. David J. Ecker Under 37 C.F.R. §1.132

I, David J. Ecker, hereby declare as follows:

1.   I am Vice President & Managing Director of Ibis Therapeutics, a division of Isis Pharmaceuticals.

2.   Page 94, lines 29-31 of the above-identified patent application as filed recites "Software packages from companies such as, for example, Tripos (St. Louis, MO), Molecular Simulations (San Diego, CA), MDL Information Systems (San Leandro, CA) and Chemical Design (NJ) provide means for computational generation of structures." The software package referred to in the specification and available from Tripos is called "Sybil/Base." The software package referred to in the specification and available from Molecular Simulations is called "Insight II." The software package referred to in the specification and available from MDL Information Systems is called "Sculpt." The specification has been amended accordingly and the amendatory material consists of the same material that was referenced in the specification as filed.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the applications or any patent issued thereon.

Date: _____1 - 2 - 01_____   _____David J. E_____

Dr. David J. Ecker